



New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	VIII	Special Interest Topics	
Chapter:	D	Interstate Services	5-2-2016
Subchapter:	1	General	
Issuance:	200	Requests from Out-of-State Agencies	

Purpose

This issuance establishes policies and procedures to provide the sending out-of-state agency the opportunity to obtain home studies and evaluation of the proposed child placement. Children placed in New Jersey must be assured of the same protections and services that would be provided if they were to remain in their home states.

Authority

- Interstate Compact on the Placement of Children (ICPC)
- N.J.S.A. 9:23-5 et seq.

Policy

A) Types of Out-of-State Agency Requests

CP&P processes out-of-state agency requests for children who have not reached the age of majority. These requests include:

- An evaluation or study of the home of a parent, relative or unrelated person for the placement of a child;
- Courtesy supervision by CP&P, with periodic reports to the out-of-state agency. See definition, [CP&P-VIII-D-1-100](#);
- An investigation or supervision of a child who is already in New Jersey. See Recording Out-of-State Requests, below;
- A report of child abuse/neglect. See [CP&P-II-A-1-100](#); and
- An interstate adoption study for independent private and public adoptions. See [CP&P-VIII-D-2-600](#).

For policy and procedures related to CP&P requesting services from out-of-state agencies, see [CP&P-VIII-D-1-300](#), [CP&P-VIII-D-2-300](#), [CP&P-VIII-D-2-400](#), [CP&P-IV-B-6-100](#) and, for adoptions, [CP&P-VIII-D-2-700](#).

B) Interstate Compact on Placement of Children (ICPC)

Under the terms of the ICPC, all participating states must agree to follow certain procedures and respect the applicable laws of all party states. Such an agreement is the Interstate Compact on the Placement of Children, designed to:

- Give each child requiring placement across state lines the maximum opportunity for appropriate and desirable care;
- Ensure both sending and receiving authorities are able to make informed decisions on suitable placements; and
- Establish appropriate jurisdictional responsibility.

All states must comply with compact state rules, regulations, and laws regarding placement of children. A placement request from a non-compact territory is processed by CP&P in the same manner as a request involving a compact member state.

Note: Puerto Rico is not a participating member.

C) Types of Placements Covered

The ICPC includes the following types of placements:

- Adoptions: Placement preliminary to an adoption (independent, private or public adoptions);
- Licensed or approved foster homes (placement with related or unrelated caregivers);
- Placements with parents and relatives when a parent or relative is not making the placement as defined in Article VIII (a) "Limitations" of the ICPC; and
- Group homes/residential placement of all children, including adjudicated delinquents in institutions in other states.

D) Types of Placements NOT Covered

The ICPC does not include the following types of placements:

- Birth parent-to-birth parent, assuming there is no court that has assumed jurisdiction of the child to be placed;
- Birth parent-to-relative (defined in Article VIII to include only parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or non-agency guardian), assuming there is no court that has assumed jurisdiction of the child to be placed;
- Relative-to-birth parent (as defined in Article VIII), assuming there is no court that has assumed jurisdiction of the child to be placed;
- Relative-to-relative (as defined in Article VIII), assuming there is no court that has assumed jurisdiction of the child to be placed;
- Custody (from a court) given to a parent from whom the child was not removed, when all of the following are met:
 - The court does not have any evidence that the parent is unfit to care for the child;
 - The court does not seek any evidence with regard to the parent's fitness to care for the child; and
 - The court terminates its jurisdiction over the child at the time of the placement;
- Sending court makes a parent placement with courtesy check;
- Child is admitted to any institution that cares for the mentally ill, mentally defective, or epileptic;
- Child is admitted to any hospital or other medical facility;
- Divorce/custody investigations and/or Home Study;
- International adoptions; whenever Immigration and Naturalization Service (INS) has issued an IR-3 Visa for the child being adopted in the child's country of origin;
- Requests received through International Social Services (ISS) or any of its branch offices for home studies and/or social services;
- Visits; and

- Placement of a child into or from Canada, Puerto Rico, Guam, and/or American Samoa, is done as a courtesy as these jurisdictions are not members of the ICPC.

Procedures

1) Role of CP&P Interstate Services Office

The Compact requires that all interstate placements be arranged through a Compact Administrator, and must be made through the CP&P Interstate Services Office.

The referral packet includes:

1. Form ICPC 100A, Interstate Compact Placement Request;
2. Form ICPC 100B (If child is already placed);
3. The court order;
4. A signed statement by the Worker (Regulation 2 or 7);
5. A current social summary;
6. The case/service/permanency plan;
7. The financial and medical plan form; See the ICPC Financial and Medical Plan.
8. Title IV-E verification;
9. A copy of the child's Social Security card and birth certificate; and
10. A cover letter.

The CP&P Interstate Services Office administers and coordinates services to out-of-state agencies. The Interstate Services Office reviews requests to determine if CP&P has the authority to conduct a study evaluation, and if sufficient information is included for that purpose. The CP&P Interstate Services Office forwards the request to the appropriate Local Office for action.

When an out-of-state agency request involves more than one office in evaluating possible placements for a child, the CP&P Interstate Services Office, assigns request to each office, and sends a copy of the out-of-state agency request to each office which will perform field work on the case.

When another state requests approval for the placement of a child in New Jersey, the Interstate Services Office acknowledges receipt of the request and forwards it to the appropriate LO. Any home study or evaluation must be completed and returned with a

recommendation to the Interstate Services Office within the designated time period. The Interstate Services Office resolves any problems related to a request for the placement of a child in New Jersey by another state.

2) Procedures Related to Requests Received by the CP&P Office of Interstate Services

RESPONSIBILITY	ACTION REQUIRED
Interstate Services Office	<ol style="list-style-type: none">1. Review request to determine appropriate action.2. Notify other state of receipt of request and<ul style="list-style-type: none">• Suggest a more appropriate New Jersey agency for handling or,• Request more information if necessary, and/or• Advise which office will process request.3. Assign and send request to appropriate CP&P office, with specific instructions.

3) Request for Expedited Placement Decision (formerly known as “priority placement”)

ICPC Regulation 7, Expedited Placements, effective October 1, 2011, defines an expedited placement as one in which a court order contains an express finding that at least one of the following circumstances applies:

- a) Unexpected dependency due to a sudden or recent incarceration, incapacitation or death of a parent or guardian;
- b) The child sought to be placed is four years of age or younger, including older siblings sought to be placed with the same proposed placement resource;
- c) The court finds that any child in the sibling group sought to be placed has a substantial relationship with the proposed placement resource; or
- d) The child is currently in an emergency placement.

The intent of this regulation is to expedite ICPC approval or denial by a receiving state for the placement of a child with a parent, stepparent, grandparent, adult uncle or aunt, adult brother or sister, or the child’s guardian, and to:

- a) Help protect the safety of the children while minimizing the potential trauma to children caused by interim or multiple placements, while ICPC approval to place with a parent or relative is being sought through a more comprehensive home study process.
- b) Provide the sending state court and/or sending agency with expedited approval or denial. An expedited denial would underscore the urgency for the sending state to explore alternative placement resources.

This regulation shall not apply if:

- a) The child has already been placed in violation of the ICPC in the receiving state, unless a visit has been approved in writing by the receiving state Compact Administrator and a subsequent order entered by the sending state court, authorizing the visit with a fixed return date.
- b) **The intention of the sending state is for licensed or approved foster care or adoption.** In the event the intended placement (must be parent, stepparent, grandparent, adult aunt or uncle, adult brother or sister, or guardian) as per Article VIII(a) of the ICPC is already licensed or approved in the receiving state at the time of the request, such licensing or approval does not preclude application of this regulation.
- c) The court places the child with a parent from whom the child was not removed, the court has no evidence the parent is unfit, does not seek any evidence from the receiving state that the parent is either fit or unfit, and the court relinquishes jurisdiction over the child immediately upon placement with the parent.

If the receiving state has a separate licensing process available to relatives that includes waiver of non-safety issues, the receiving state may, (but is not required to), provide provisional approval or denial for the child to be placed with a parent or relative, including a request for licensed placement,

4) Processing an Expedited Placement Request

New Jersey processes expedited placement requests for parents only, as parents are not required to be licensed.

When a court determines that a proposed expedited placement of a child, across state lines is necessary, the court signs an order, and forwards it to the sending child welfare agency within two (2) business days. The order includes name, address, phone and FAX numbers of the Judge and Court. The sending agency transmits the order; a completed Form 100A, and supporting documentation, within three (3) business days, to the sending state Compact Administrator.

Within two (2) business days after receipt of the expedited placement request, the sending Compact Administrator transmits the request and supporting documentation, with a Notice that this is an expedited request, to the receiving state Compact Administrator. See ICPC-101, Sending State Expedited Home Study Request.

In order to meet the required twenty (20) business day turnaround, the home study format, as developed by the Secretariat's Office of the Association of Administrators is utilized.

See [CP&P-VIII-D-3-1000](#) Appendices- Expedited Placement Time Frames.

The sending state's Compact Administrator transmits the court order, 100A and supporting documentation to the receiving state Compact Administrator by overnight mail. The receiving Compact Administrator shall receive the expedited relative study, from the local Child Welfare office, in no less than twenty (20) business days from the date the receiving Compact office received the expedited request. See ICPC-102, Receiving State's Expedited Home Study. The completed and signed ICPC-100A, is transmitted by e-mail or FAX to the sending state Compact Administrator.

Stamp Expedited Placement requests coming through the NJ ICPC EXPEDITED PLACEMENT REQUEST.

If the ICPC expedited placement request is incomplete, the receiving Compact Administrator (within two business days of receipt) notifies the sending Compact Administrator that additional documentation is needed.

Note: The 20 business day time frame does not begin until the requested information is received. If there are exceptional reasons as to why the assessment cannot be completed within 20 business days, the Compact Administrator in the Office of Interstate Services must be notified. The NJ Compact Administrator notifies the sending state of the reasons for the delay and the anticipated time frame for completion.

If the receiving state fails to complete the Expedited Placement Request within 20 business days the receiving state is deemed out of compliance with the ICPC. The court, which made the priority order, in compliance with Regulation 7 and the ICPC, may inform the appropriate court in the receiving state, provide copies of relevant documentation, and request assistance. The court in the receiving state may render assistance including the issuance of an appropriate order.

5) Procedures Related to an Expedited Placement Request

RESPONSIBILITY	ACTION REQUIRED
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Interstate Services Office	<ol style="list-style-type: none"> 1. Review expedited placement request. 2. Advise the sending State ICPC Office within 2 business days of receipt of request if additional documentation needed.
Sending State Agency	<ol style="list-style-type: none"> 3. Submit the expedited home study to the ICPC Office within 20 business days of request. 4. Notify ICPC Office if expedited home study cannot be completed within 20 business days.
Interstate Services Office	<ol style="list-style-type: none"> 5. Notify sending State ICPC Office of reasons for any delay and anticipated time frame for completion.

6) Adoption Requests Received in the Local Office

For adoption requests and referrals, see [CP&P-VIII-D-2-600](#) and [CP&P-IV-C-9-100](#).

7) Out-of-State Request Received through the Office of Interstate Services: Referred to the Local Office

The Supervisor in the Local Office (LO) reviews the out-of-state material received from the Interstate Services Office and determines the action required. The LO Supervisor assigns the referral within two days of receipt, and then notifies the Interstate Services Office of the assignment.

If additional information is needed to complete the investigation/ evaluation, the LO advises the out-of-state agency through the Interstate Services Office. The LO initiates a response to the out-of-state request, but makes the final recommendation, only after it has received the additional information requested.

8) Procedures Related to Requests Received in the Local Office

RESPONSIBILITY	ACTION REQUIRED
Supervisor	<ol style="list-style-type: none"> 1. Review request to determine appropriate action and urgency of the request. 2. Contact Interstate Services Office for clarification, if required. 3. Assign request to Worker. 4. Inform Interstate Services Office of assigned Worker and Supervisor.

9) Procedures Related to Recording Out-of-State Requests

The out-of-state material is reviewed and documented as an intake in NJ SPIRIT.

A case record is set-up and all case-related documents and information are maintained in the folder.

The case is terminated as soon as the requested casework activity has been completed. See [CP&P-II-C-2-200](#). If the child is placed in New Jersey, the case is reopened in NJS using the same case identification number and case participant numbers.

RESPONSIBILITY	ACTION REQUIRED
Worker	<ol style="list-style-type: none">1. Review out-of-state material.2. Determine what action will be taken on the request.3. Complete CWS Summary, DCF Form 3-1, in NJS application, to document response activities/assessment.4. Approve work in NJS.5. Set up paper case folder; include copies of out-of-state material in folder. (The Worker or assigned Clerk completes this action.)
Supervisor	<ol style="list-style-type: none">6. Review DCF Form 3-1 in NJS. Approve work.

10) Requests for Services for Child Already in New Jersey: When Other State Retains Legal Jurisdiction

An investigation and/or supervision request for a child already in New Jersey may be received from an out-of-state agency by the Interstate Services Office or the Local Office. The child may come into the state with a parent, relative, foster parent or unrelated person. The out-of-state agency retains responsibility for the child for whom it has legal custody.

Upon receipt of a referral directly from an out-of-state agency, which has legal custody, the Local Office communicates with the Interstate Services Office for further instructions.

If the child is living with the parent or relative, the out-of-state agency may want continued services. The request received by CP&P is considered either a child welfare referral, or a protective services report and The Local Office processes the request through the Interstate Services Office.

If the child is residing with a relative who cannot prove their relationship with the child and a financial need exists to care for the child, the Interstate Services Office advises the out-of-state agency that the financial responsibility shall be resolved before establishing supervision.

If the child is residing with a foster family or other unrelated person, the out-of-state agency retains social and financial planning responsibility. The Local Office processes the request as outlined in CP&P-II-A-2-200.

Key Terms (Definitions)

Forms and Attachments

- [Form 3-1, CWS Assessment Summary](#)

Related Information